IC 36-8-4.5

Chapter 4.5. Town Police and Fire Employment Policies

IC 36-8-4.5-1

Application

- Sec. 1. This chapter applies to the following:
 - (1) A member of a town police department under IC 36-5-7 or IC 36-8-9.
- (2) A member of a town fire department.

As added by P.L.65-2008, SEC.2.

IC 36-8-4.5-2

Inapplicable to volunteer fire department

Sec. 2. This chapter does not apply to a volunteer fire department under IC 36-8-12.

As added by P.L.65-2008, SEC.2.

IC 36-8-4.5-3

"Member of a town fire department"

Sec. 3. As used in this chapter, "member of a town fire department" does not include a volunteer firefighter under IC 36-8-12-2.

As added by P.L.65-2008, SEC.2.

IC 36-8-4.5-4

Residency in county or contiguous county

- Sec. 4. A member of a town police or fire department must reside in Indiana within:
 - (1) the county in which the town is located; or
 - (2) a county that is contiguous to the county in which the town is located.

As added by P.L.65-2008, SEC.2.

IC 36-8-4.5-5

Town with population of less than 7,500; ordinance requiring residence within town or certain distance of town

- Sec. 5. A town with a population of less than seven thousand five hundred (7,500) may adopt an ordinance that requires a member of the town police or fire department to satisfy all of the following:
 - (1) Reside within:
 - (A) the county in which the town is located; or
 - (B) a distance from the town stated in the ordinance.
 - (2) Have adequate means of transportation into the town.
 - (3) Maintain in the member's residence telephone service with the town.

As added by P.L.65-2008, SEC.2.

IC 36-8-4.5-6

Town with population of less than 7,500; ordinance requiring town residency for five years

Sec. 6. This section applies to a town that:

- (1) has a population of less than seven thousand five hundred (7,500); and
- (2) adopted an ordinance to establish the requirements described in this section before September 1, 1984.

A town may require, in addition to the requirements of section 5 of this chapter, that a member of the police or fire department reside within the town until the member has served in the department for five (5) years.

As added by P.L.65-2008, SEC.2.

IC 36-8-4.5-7

Town with population of less than 7,500; exemption for members not in compliance on date ordinance adopted

- Sec. 7. An ordinance adopted under section 5 or 6 of this chapter may not require a member of a town police or fire department to comply with section 5(1) of this chapter if the member resides:
 - (1) outside the county; or
 - (2) a distance outside the town greater than stated in the ordinance;

on the date the ordinance is adopted.

As added by P.L.65-2008, SEC.2.

IC 36-8-4.5-8

Exemption for members of town police departments appointed before July 1, 2008

- Sec. 8. Notwithstanding any other law, a member appointed to a town police department under IC 36-5-7 or IC 36-8-9 before July 1, 2008, may not be required to reside within:
 - (1) the county in which the town is located; or
 - (2) a county that is contiguous to the county in which the town is located;

if the member resided within a county that is noncontiguous to the county in which the town is located on July 1, 2008.

As added by P.L.65-2008, SEC.2.

IC 36-8-4.5-9

Use of department vehicles

- Sec. 9. Members of the police and fire departments may not use vehicles owned or maintained by their department outside the county in which the town is located except:
 - (1) during the performance of official duties; or
- (2) as provided for by department regulation. *As added by P.L.65-2008, SEC.2.*